

AUG 13 2003

Express Mail Label No. EV 326 983 579 US

Attorney Docket No. 55325-8166.US01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

1656
9/27/03

PRE APPLICATION OF:

Huang, *et al.*

APPLICATION No.: 10/020,671

FILED: December 12, 2001

FOR: LIPOSOME COMPOSITION FOR DELIVERY
OF NUCLEIC ACID

EXAMINER: Unassigned

ART UNIT: 1656

CONF. No: 3413

**Supplemental Information Disclosure Statement Within Three
Months of Application Filing or Before First Action – 37 C.F.R. §
1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☒ All cited references
- ☐ References marked by asterisks
- ☐ The following:

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition,

applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

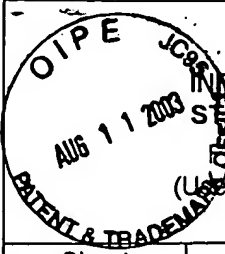
Respectfully submitted,

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 INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) (Use several sheets if necessary)				COMPLETE IF KNOWN	
				Application Number	10/020,671
				Confirmation Number	3413
				Filing Date	December 12, 2001
				First Named Inventor	Huang, <i>et al.</i>
				Group Art Unit	1656
Examiner Name	Unassigned				
Attorney Docket No.	55325.8166.US01				
Sheet	1	of	1		

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code			
		6,342,244		Zalipsky	01/29/02	
		6,365,179		Zalipsky and Gabizon	04/02/02	
*						

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FOREIGN PATENT DOCUMENTS								
Examiner Initial	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
		Zalipsky, <i>et al.</i> , "Peptides: The Wave of the Future", <i>Proceedings of the Second International and the Seventeenth American Peptide Symposium</i> , San Diego, June 9-14, pps. 953-954, (2001).	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).	